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October 7, 2014

Via ECF

Hon. Denise L. Cote,
United States District Judge,
Daniel Patrick Moynihan United States Courthouse,
500 Pearl Street, Room 1610,
New York, New York 10007-1312.

Re: FHFA v. Nomura Holding America Inc., et al., No. 11-cv-6201

Dear Judge Cote:

Plaintiff's letter of last evening says that at about 8:00 pm, Nomura's counsel declined to agree to an extension of time for the submission of Dr. Cowan's supplemental extrapolation report. At that time of night, we were not in a position to discuss the request (which had been made at about 7:00 pm) with our client and could not agree.

It should also be mentioned that the request actually made was for extensions for three reports, and that this request came just days after plaintiff's counsel refused to agree to an adjustment of an upcoming briefing schedule that would have allowed certain of my colleagues to enjoy the Thanksgiving weekend with family and friends.

Respectfully submitted,

/s/ David B. Tulchin

David B. Tulchin

cc: Counsel of Record